

AMENDED IN ASSEMBLY APRIL 20, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1046

Introduced by Assembly Member Frommer

February 22, 2005

An act to amend Section 128738 of, and to add Section 128767 to, the Health and Safety Code, relating to health data.

LEGISLATIVE COUNSEL'S DIGEST

AB 1046, as amended, Frommer. Health facility and clinic data: elements: report card.

The existing Health Data and Advisory Council Consolidation Act requires the Office of Statewide Health Planning and Development (OSHPD) to be the single state agency designated to collect health facility or clinic data for use by all state agencies. The act also established the California Health Policy and Data Advisory Commission to advise OSHPD on data collection and reporting.

The act requires every organization that operates, conducts, owns, or maintains a health facility, and the officers thereof, to make and file reports with OSHPD, including a Hospital Discharge Abstract Data Record. The act requires each hospital to file an Emergency Care Data Record for each patient encounter in a hospital emergency department, and requires each hospital and freestanding ambulatory surgery clinic to file an Ambulatory Surgery Data Record for each patient encounter during which at least one ambulatory surgery procedure is performed. The act requires OSHPD, based upon review and recommendations of the commission and its appropriate committees, to allow and provide for additions or deletions to patient level data elements in those 3 data records. The act generally prohibits OSHPD from adding more than a net of 15 elements to each data set over any 5-year period.

This bill would repeal the limitation on the number of elements OSHPD may add to each data set. The bill would also require OSHPD to develop a California Hospital Report Card by July 1, 2006, to provide health care consumers, *purchasers, and providers* with information about ~~measures of hospital quality~~ *the quality of hospital care*, and to develop ~~performance measures for inclusion~~ *to include* in the report card in consultation with *the commission and with* representatives of California hospitals *and health care providers*, organizations representing purchasers of health care coverage, consumer organizations, labor organizations, and *state and* national organizations promoting health care quality.

The bill would require that the report card be easy to read and understand, available in English, Spanish, and other languages, and available in printed copy and on OSHPD's Internet Web site. The bill would require OSHPD to develop an online query system to enable consumers to compare quality information about hospitals.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 128738 of the Health and Safety Code
- 2 is amended to read:
- 3 128738. (a) The office, based upon review and
- 4 recommendations of the commission and its appropriate
- 5 committees, shall allow and provide for, in accordance with
- 6 appropriate regulations, additions or deletions to the patient level
- 7 data elements listed in subdivision (g) of Section 128735, Section
- 8 128736, and Section 128737, to meet the purposes of this
- 9 chapter.
- 10 (b) Prior to any additions or deletions, all of the following
- 11 shall be considered:
- 12 (1) Utilization of sampling to the maximum extent possible.
- 13 (2) Feasibility of collecting data elements.
- 14 (3) Costs and benefits of collection and submission of data.
- 15 (4) Exchange of data elements as opposed to addition of data
- 16 elements.
- 17 (c)
- 18 The commission and the office, in order to minimize costs and
- 19 administrative burdens, shall consider the total number of data

1 elements required from hospitals and freestanding ambulatory
2 surgery clinics, and optimize the use of common data elements.

3 ~~SEC. 2. Section 128767 is added to the Health and Safety~~
4 ~~Code, to read:~~

5 ~~128767. The office shall develop a California Hospital Report~~
6 ~~Card by July 1, 2006, to provide health care consumers with~~
7 ~~information about measures of hospital quality. The office shall~~
8 ~~develop measures for inclusion in the report card in consultation~~
9 ~~with representatives of California hospitals, organizations~~
10 ~~representing purchasers of health care coverage, consumer~~
11 ~~organizations, labor organizations, and national organizations~~
12 ~~promoting health care quality.~~

13 ~~SEC. 2. Section 128767 is added to the Health and Safety~~
14 ~~Code, to read:~~

15 ~~128767. (a) The office shall develop a California Hospital~~
16 ~~Report Card by July 1, 2006, to provide health care consumers,~~
17 ~~purchasers, and providers with information about the quality of~~
18 ~~hospital care.~~

19 ~~(b) (1) The office shall develop performance measures to~~
20 ~~include in the report card in consultation with the commission~~
21 ~~and with representatives of California hospitals and health care~~
22 ~~providers, organizations representing purchasers of health care~~
23 ~~coverage, consumer organizations, labor organizations, and~~
24 ~~state and national organizations promoting health care quality.~~

25 ~~(2) In developing performance measures, the office shall~~
26 ~~consider the hospital performance measures recommended or~~
27 ~~used by appropriate accreditation organizations, state and~~
28 ~~national organizations promoting health care quality such as the~~
29 ~~National Quality Forum, the Medicare program, and any other~~
30 ~~relevant organization. The office shall include in the report card~~
31 ~~measures of risk-adjusted outcomes as published pursuant to~~
32 ~~Section 128745.~~

33 ~~(3) The report card may include measures of utilization,~~
34 ~~clinical outcomes, clinical processes, patient safety, patient~~
35 ~~satisfaction, and other relevant performance indicators. Data in~~
36 ~~the report card shall be risk adjusted as deemed appropriate by~~
37 ~~the office.~~

38 ~~(4) The office shall develop a hospital rating method to~~
39 ~~combine scores on individual performance measures into~~

1 *performance tiers. This rating method shall be publicly*
2 *disclosed.*

3 *(5) The office shall regularly review and update the measures*
4 *that are included in the report card.*

5 *(c) The report card shall be easy to read and understand,*
6 *available in English, Spanish, and other languages, and*
7 *available in printed copy and on the office's Internet Web site.*
8 *The office shall develop an online query system to enable*
9 *consumers to compare quality information about hospitals.*